

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/19/24

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ESMIRALDA KONYUKHOVA,	:	
	:	
Plaintiff,	:	
	:	24-CV-4390(VEC)
-against-	:	
	:	<u>ORDER</u>
WALGREEN COMPANY, SEDGWICK	:	
CLAIMS MANAGEMENT SERVICES, &	:	
WALGREENS COMPANY PAID DISABILITY	:	
PLAN FOR SALARIED TEAM MEMBERS,	:	
PHARMACISTS, & PARAPROFESSIONALS,	:	
Defendants.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on December 10, 2024, Plaintiff's former counsel from the firm Ballon Stoll filed a motion to withdraw as counsel and requested a charging lien, *see* Dkt. 35;

WHEREAS on December 13, 2024, the Court granted Ballon Stoll's motion to withdraw as counsel and its request for a charging lien; adjourned the initial pretrial conference (the "Conference") to January 31, 2025; ordered Plaintiff to either retain new counsel by January 31, 2025 or be prepared to proceed *pro se*; and stayed Defendants' time to respond to the Amended Complaint, *see* Order, Dkt. 39;

WHEREAS on December 13, 2024, Ballon Stoll filed a motion to withdraw its request for a charging lien, *see* Dkt. 44;

WHEREAS also on December 13, 2024, Plaintiff filed a letter seeking leave to file a letter under seal, *see* Dkt. 45, and a letter requesting that Ballon Stoll be removed as her counsel and for sanctions against Ballon Stoll, *see* Dkt. 46;

WHEREAS on December 16, 2024, Plaintiff proceeding *pro se*, in a flurry of filing activity, moved for leave to file an Amended Complaint, *see* Dkt. 49; filed the Second Amended

Complaint, *see* Dkt. 50; moved to vacate the prior order granting Ballon Stoll's charging lien; and requested a permanent injunction against Ballon Stoll from seeking a charging lien, *see* Dkt. 52; and

WHEREAS on December 17, 2024, the Court granted Ballon Stoll's request to withdraw the charging lien, *see* Dkt. 47; granted Plaintiff's request to file a letter under seal; and denied Plaintiff's request to sanction on Ballon Stoll, *see* Dkt. 48.

IT IS HEREBY ORDERED that Plaintiff's motion, at Dkt. 52, to vacate the order granting Ballon Stoll's charging lien is DENIED as moot, in light of the Court's endorsement at Dkt. 47 granting Ballon Stoll's motion to withdraw the charging lien. Plaintiff's motion for a permanent injunction against Ballon Stoll is also DENIED.

IT IS FURTHER ORDERED that Plaintiff's motion, at Dkt. 49, for leave to file an Amended Complaint is DENIED without prejudice. The Court has previously directed Plaintiff to either retain new counsel or be prepared to proceed *pro se* by January 31, 2025, the date of the Conference. Defendants' time to respond to the Amended Complaint remains STAYED until Plaintiff's decision regarding representation is resolved. At the Conference, the Court will set a schedule for amended pleadings.

IT IS FURTHER ORDERED that Plaintiff is ordered to file no further motions until the Conference.

The Clerk of Court is respectfully directed to terminate the open motions at Dkt. entries 49 and 52; strike Dkt. 50; and mail a copy of this Order to Plaintiff at 51 Morris Drive, Old Bridge, New Jersey, 08857.

SO ORDERED.

Date: December 19, 2024
New York, NY



VALERIE CAPRONI
United States District Judge